

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America)

v.)

Nancy Yvette Garcia) Case No. 5:21-mj-252

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 01/28/2021 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC 2
 18 USC 875(a) and (c)

knowingly and intentionally transmits, or aids and abets the transmission, in interstate or foreign commerce any communication containing any demand or request for a ransom or reward for the release of any kidnapped person; and knowingly and intentionally transmits in interstate or foreign commerce any communication containing any threat to kidnap any person or any threat to injure the person of another.

This criminal complaint is based on these facts:

*See attached affidavit.

☒ Continued on the attached sheet.

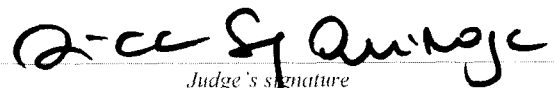
/s/ Blanca Sanchez-Gilbert

Complainant's signature

Special Agent Blanca Sanchez-Gilbert

Printed name and title

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed. R. Crim. P. 4.1.:

Date: 02/04/2021


Judge's signature

City and state: Laredo, Texas

U.S. Magistrate Judge Diana Song Quiroga

Printed name and title

AFFIDAVIT OF CRIMINAL COMPLAINT

I, Blanca Sanchez-Gilbert, having been duly sworn, depose and state as follows:

1. I am a Special Agent of the United States Federal Bureau of Investigation (FBI) and currently assigned to the FBI Laredo Resident Agency's violent crimes / major offender squad.

2. On January 26, 2021 at approximately 8:00 p.m., JL, a juvenile, was picked up by his friend MC, a juvenile, in a black sedan with paper license plates. At approximately midnight that night, JL's mother received a phone call from an unknown male person calling from a Mexican phone number stating that they had kidnapped JL because JL had stolen drugs from them, and they wanted \$30,000 for his release. A short while later, JL's mother received a video clip on her cellular phone from JL's Facebook Messenger showing JL with cuts and bruises. The last contact made by the kidnappers was on the morning of January 27, 2021 at approximately 2:30am. It was at this time that JL's mother spoke with JL who communicated with her on an unknown cellular phone. JL confirmed that it was, in fact, he who was kidnapped. JL's mother was told that she had to come up with the money soon or her son would be killed.

3. On January 27, 2021 JL's mother reported the incident to the FBI. The FBI immediately opened an investigation and during the interview, JL's mother presented the Agents with photographs she had received on her Facebook Messenger showing JL face down, eyes closed, with evident injuries to the back of his head. On the screen someone had typed out "Ne es un juego" [this isn't a game]. The second image JL's mother showed agents was a screen shot reflecting a conversation she had with an unknown person (U.P.) who had communicated with JL's mother from her son's Facebook Messenger account. The message communicated to JL's mother was the following:

U.P. – "*Pendejos lo dejaron abandonado tabien pegaron con 5 moldes pero el ya mamo*" [Dumbass you left him abandoned and you also you took 5 bundles but he is fucked] JL's mother understood the message to mean that JL's life was threatened.

4. On January 27, 2021, at approximately 6:20 p.m., JL's mother received a photograph of JL with red marks all over his face and some type of material in his mouth. JL's eyes were half open with evident marks and bruising on his face and neck.

5. On January 28, 2021, JL's mother returned to the FBI office and continued negotiations with the extortionists, facilitated by FBI Negotiators. At approximately 5:00 p.m., JL's mother received a call from JL stating that he had escaped and was in Laredo, Texas.

6. FBI Agents and Laredo Police Department picked up JL from Seymore Avenue, Laredo, Texas. JL described the location in which he was being held hostage. JL described the window towards the back of the apartment in which he was being held was not locked and therefore he was able to escape from that window. JL also described one of the extortionists was covered in tattoos, wearing a blue, white, and red striped short sleeve shirt, and an ankle monitor.

7. JL was then taken to the hospital to be treated for various injuries. JL confirmed an image of the apartment complex on O'Kane Street, Laredo, TX (Subject Premises) as the place where he was held. JL was able to provide a detailed description of the inside of the apartment, as well as the back of the apartment and the occupants.

8. FBI Agents reviewed video surveillance from a nearby apartment unit. The video surveillance showed that on January 26 and on January 28, a male fitting the description of one of the extortionists, was wearing a blue, white, and red striped short sleeve shirt, going in and out of Subject Premises.

9. Based on information provided by the victim, FBI Agents initiated surveillance on the Subject Premises. At approximately 7:00 p.m., on January 28, 2021, FBI Agents observed a male matching the description provided by JL attempting to make his way into the Subject Premises. FBI Agents detained the male, later identified as Hector Jose Lopez (Lopez).

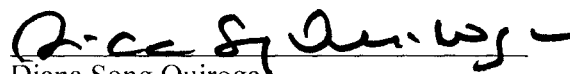
10. After rights advisement and waiver, Lopez admitted to holding JL at the Subject Premises on January 26, 2021 from a woman known as "Nancy." Lopez stated Nancy's full name was, in fact, Nancy Yvette Garcia, and stated he had known Garcia for several years. Lopez further admitted to having worked for Garcia in the past by transporting illegal aliens, and to being paid \$50.00 per person.

11. Lopez stated that, on January 26, 2021, Garcia called Lopez and asked him to hold JL hostage at Lopez's home. Lopez was residing at the 1400 block of O'Kane Street, Laredo, Texas. Garcia offered to pay Lopez approximately \$500.00 in exchange for Lopez holding JL hostage at his apartment. Garcia stated JL had tried to rob "them" and that JL had jumped into their vehicle after a drug transaction had gone wrong. Garcia arrived at Lopez's apartment with JL's head covered with a hood and taped around his neck. Lopez noticed Garcia had brought JL into his apartment with his hands tied behind his back. Garcia and an unknown male thereafter placed JL in a closet with his hands and feet tied and his mouth gagged.

12. Lopez told FBI Agents when he discovered JL had escaped the first person he called was Garcia, who instructed Lopez to evacuate the apartment and take everything with him. Lopez took the duct tape and zip ties that were used to hold JL hostage. Lopez granted consent to a search of his phone, and stated the Garcia was saved in his phone under the listed contact "Nancy." A search of the phone revealed phone calls and text messages between Lopez and Garcia between the dates of January 26, 2021 through January 28, 2021.

/s/ Blanca Sanchez-Gilbert
Blanca Sanchez-Gilbert
Special Agent, FBI
Federal Bureau of Investigation

Sworn to me and subscribed to before me this 5th day of Feb. 2021.



Diana Song Quiroga
United States Magistrate Judge